

document dated May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plan for the New Orleans Ozone Maintenance Area including the parishes of Jefferson, Orleans, St. Bernard and St. Charles on September 16, 2008.

[60 FR 43025, Aug. 18, 1995, as amended at 60 FR 47285, Sept. 12, 1995; 60 FR 51360, Oct. 2, 1995; 62 FR 652, Jan. 6, 1997; 62 FR 24038, May 2, 1997; 62 FR 64286, Dec. 5, 1997; 66 FR 66321, Dec. 26, 2001; 68 FR 19375, Apr. 21, 2003; 72 FR 62584, Nov. 6, 2007; 73 FR 15416, Mar. 24, 2008; 73 FR 53378, Sept. 16, 2008; 73 FR 59523, Oct. 9, 2008]

**§ 52.976 Review of new sources and modification.**

(a) Section 6.7 of Regulation 6.0 is disapproved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality.

(b) Section 6.9 of Regulation 6.0 is disapproved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality and the Administrator's Interpretative on Rule of December 21, 1976.

[44 FR 18491, Mar. 28, 1979, as amended at 47 FR 6017, Feb. 10, 1982]

**§ 52.977 Control strategy and regulations: Ozone.**

(a) *Determination of Attainment.* Effective March 12, 2010 EPA has determined the Baton Rouge 1-hour ozone nonattainment area has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS). Under the provisions of EPA's Clean Data Policy, this determination suspends the requirements for this area to submit a severe attainment demonstration, a severe reasonable further progress plan, applicable contingency measures plans, and other planning Louisiana State Implementation Plan (SIP) requirements related to attainment of the 1-hour ozone NAAQS for so long as the area continues to attain the 1-hour ozone NAAQS.

(b) *Determination of Attainment.* Effective October 12, 2010 EPA has determined that the Baton Rouge 8-hour ozone nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). Under

the provisions of 40 CFR 51.918 this determination suspends the requirements for this area to submit an attainment demonstration, a reasonable further progress plan, applicable contingency measures, and other planning Louisiana State Implementation Plan (SIP) requirements related to attainment of the 1997 8-hour ozone NAAQS for so long as the area continues to attain the 1997 8-hour ozone NAAQS.

(c) *Determination to Terminate the Clean Air Act Section 185 Penalty Fee Requirement.* Effective September 6, 2011 EPA has determined that the State of Louisiana is no longer required to submit a section 185 fee program State Implementation Plan (SIP) revision for the Baton Rouge ozone nonattainment area to satisfy anti-backsliding requirements for the 1-hour ozone standard. This determination is based on EPA's determination that the area has attained the 1-hour ozone standard due to permanent and enforceable emissions reductions.

(d) *Redesignation for the 1997 8-hour Ozone Standard.* Effective December 30, 2011, EPA has redesignated the Baton Rouge area to attainment for the 1997 8-hour ozone standard. With this final redesignation to attainment for the 1997 8-hour ozone NAAQS and the final determination of attainment for the 1-hour ozone NAAQS in paragraph (a) of this section, the 1-hour anti-backsliding obligations to submit planning SIPs to meet the attainment demonstration and reasonably available control measures requirements, the rate of progress and contingency measures requirements, and any other outstanding 1-hour requirements, cease to apply.

[75 FR 6575, Feb. 10, 2010, as amended at 75 FR 54779, Sept. 9, 2010; 76 FR 39777, July 7, 2011; 76 FR 74002, Nov. 30, 2011]

**§§ 52.978–52.983 [Reserved]**

**§ 52.984 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?**

(a)(1) The owner and operator of each source located within the State of Louisiana and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual Trading Program in subparts